

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN LEE FOSTER,

Plaintiff,

v.

WILLIAM B. SHUBB, et al.,

Defendants.

No. 2:25-cv-1755 CSK P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

By an order filed June 26, 2025, plaintiff was granted thirty days to file a completed in forma pauperis affidavit and a certified copy of his jail trust account statement. (ECF No. 3.) Plaintiff was cautioned that failure to file these documents would result in a recommendation that this action be dismissed. (*Id.*) The thirty day period has now expired, and plaintiff has not responded to this Court's June 26, 2025 order and has not filed the required documents.

In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court and serve a copy on all parties. Such a document should be captioned

1 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that  
2 failure to file objections within the specified time may waive the right to appeal the District  
3 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

4  
5 Dated: August 1, 2025

6   
7 CHI SOO KIM  
8 UNITED STATES MAGISTRATE JUDGE  
9  
10

11 Fost1755.fifp/2  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28